

REMARKS

Claims 1- 25 are pending in the present application. In the Office Action of December 13, 2006, the Examiner rejected all claims. Claims 1, 8, 12, and 18 are amended to correct for antecedent basis and a missing punctuation mark. No new matter is added by way of these amendments. Applicant respectfully requests reconsideration based on the following remarks.

Rejection Under 35 USC §101

In paragraph 2 of the Office Action, the Examiner provisionally rejected claims 6, 7, 20, and 21 for claiming "the same invention as that of claims 6, 7, 20, and 21 of copending Application No. 10/074,991."

Applicant points out that claims 6 and 20 have been amended and claims 7 and 21 have been canceled in copending Application No. 10/074,991. Furthermore, claims 6 and 21 are currently being canceled in the present Application, and claims 7 and 20 have been amended. As such, the two applications no longer have claims for the same invention.

Rejection Under 35 USC §102

In paragraph 4 of the Office Action, the Examiner rejected claims 1, 3-5, 8-12, 14-16, and 22-25 as being anticipated by Baumgarte (USPN 6,915,264, hereinafter *Baumgarte*). Applicant traverses.

The present Application is a continuation of co-pending Application No. 10/074,991 filed February 13, 2002. Application No. 10/074,991, in turn, claims priority to Application No. 09/534,682 filed on March 24, 2000. Evidence of this chain of priority may be seen in the Cross-Reference Section of the present

Application as well as the copy of the Declaration from the parent Application No. 10/074,991.

Baumgarte was filed on February 22, 2001. Because *Baumgarte* was filed after the earliest priority date of the present Application, *Baumgarte* is not a proper reference. Therefore, claims 1, 3-5, 8-12, 14-16, and 22-25 are not anticipated by *Baumgarte*.

In paragraph 21, the Examiner rejected claims 6, 7, 20, and 21 as being anticipated by Carlson et al. (USPN 4,674,125, hereinafter *Carlson*). Applicant traverses.

With respect to claims 6 and 21, these claims are canceled by way of the present Response.

Claims 7 and 20 have been amended to include a downsample limitation. That is claim 7 now recites, in part, "downsampling an output of a last low pass filter to produce a downsampled signal." Similarly, claim 20 now recites, in part, "a downsampler configured to downsample an output of a last low pass filter to produce a downsampled signal." Support for these amendments can be found, for example, in the discussion involving FIG. 1.

In contrast, *Carlson* does not contemplate the use of a downsampler for downsampling an output of a last low pass filter in a set of low pass filters. For at least this reason, claims 7 and 20 are not anticipated by *Carlson*.

Rejection Under 35 USC §103

In paragraph 26, claims 2 and 13 are rejected under 35 USC §103 as being unpatentable over *Baumgarte* in view of *Carlson*. Applicant traverses.

Claim 2 depends from claim 1. Claim 1 is not anticipated by *Baumgarte* as discussed above. The addition of *Carlson* does not cure the deficiencies of *Baumgarte*. Therefore, claim 2 is not unpatentable over *Baumgarte* in view of *Carlson*.

Similarly, claim 13 depends from claim 12. Claim 12 is not anticipated by *Baumgarte* as discussed above. The addition of *Carlson* does not cure the deficiencies of *Baumgarte*. Therefore, claim 13 is not unpatentable over *Baumgarte* in view of *Carlson*.

In paragraph 30, claims 17-19 are rejected under 35 USC §103 as being unpatentable over *Baumgarte* in view of well-known prior art. Claims 17-19 depend from claim 12. Claim 12 is not anticipated by *Baumgarte* as discussed above. As such, the addition of well-known prior art is not sufficient to cure the deficiencies of *Baumgarte*. Therefore, claims 17-19 are not unpatentable over *Baumgarte* in view of well-known prior art.

CONCLUSION

Based on the foregoing remarks, Applicant believes the rejections to the claims have been overcome, and that the present application is in condition for allowance. If the Examiner has any questions regarding the case, the Examiner is invited to contact Applicant's undersigned representative.

Respectfully submitted,

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